

Exhibit C

Kelley, Matthew E. (DC)

From: Kevin Vick <kvick@jassyvick.com>
Sent: Friday, July 30, 2021 7:53 PM
To: April Barker
Cc: Walker, Leita (Minn); Friedman, James
Subject: RE: Protective Order
Attachments: image007.wmz; Stipulation Re Proposed Protective Order, JVC Draft 07 30 21.DOCX; Protective Order, Revised Draft E.D. Wis. Model Order, 07 30 21.docx

⚠ EXTERNAL

April,

In light of your making Plaintiff's position clear at Wednesday's status conference and Judge Ludwig's comments regarding his approach to protective orders generally, I thought maybe we should just propose the E.D. Wisconsin model protective order without any changes. I styled this as a stipulation, but I drafted the stipulation to make clear that the parties (including Plaintiff) were entering into it out of a desire to expedite discovery, but it is the Defendants who are representing that they believe confidential material will be produced, as I understand that you didn't want to be seen as making any admission on that score at this point.

Please let me know your thoughts.

Best,

Kevin



**** PLEASE NOTE NEW OFFICE ADDRESS ****

Kevin L. Vick

**Jassy Vick Carolan LLP | 310-870-7048 | kvick@jassyvick.com
335 S. Grand Ave., Suite 2450 | Los Angeles, CA 90071
jassyvick.com**

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From: April Barker <abarker@sbe-law.com>
Sent: Tuesday, July 27, 2021 9:33 AM
To: Kevin Vick <kvick@jassylvick.com>
Cc: Walker, Leita <WalkerL@ballardspahr.com>
Subject: RE: Protective Order

Hi Kevin,

This issue may counsel in favor of styling the request for a protective order as an unopposed motion rather than a stipulation.

I am thinking that a motion could indicate something to the effect of "Plaintiff's counsel have advised that in the interests of expediting the exchange of discovery materials, they do not object to entry of the proposed protective order."

Then it would make perfect sense to replace the preamble with something to the effect of, "Based on the unopposed motion of Defendants..."

Let me know if this approach will solve the problem.

Thank you,
April

April Rockstead Barker | Attorney



**SCHOTT, BUBLITZ
& ENGEL s.c.**
ATTORNEYS AT LAW
640 W. Moreland Boulevard
Waukesha, WI 53188
☎ P: (262) 827-1700
☎ F: (262) 827-1701
✉ E: abarker@sbe-law.com
Web: www.sbe-law.com

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From: Kevin Vick <kvick@jassylvick.com>
Sent: Monday, July 26, 2021 5:04 PM
To: April Barker <abarker@sbe-law.com>
Cc: Walker, Leita <WalkerL@ballardspahr.com>
Subject: RE: Protective Order

April,

With regard to your redline in the preamble on page 1, I think I understand your concern. However, Section (D) of the E.D. Wis. Model Protective Order gives Plaintiff the opportunity to challenge confidentiality designations. The reason I raise this is because I worry that deleting the language in the preamble might lead Judge Ludwig to believe that the parties are in fundamental disagreement whether a protective order is appropriate, when all parties want one (even if for somewhat different reasons, at least at this point, although please keep in mind that we may ask Mr. Colborn for material in discovery that he may want to designate as confidential too). To further address your concern, we could note in the separate stipulation (which you and I discussed would accompany the proposed protective order) that while the parties all request a protective order to expedite the exchange of discovery, it is the Defendants who believe that discovery will entail the production of confidential information.

Please let me know your thoughts.

Thanks,

Kevin



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335 S. Grand Ave., Suite 2450 | Los Angeles, CA 90071
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From: April Barker <abarker@sbe-law.com>
Sent: Monday, July 19, 2021 12:19 PM
To: Kevin Vick <kvick@jassylvick.com>; Walker, Leita <WalkerL@ballardspahr.com>
Subject: Protective Order

Kevin and Leita,

I am attaching the redlined protective order that you sent with one change to the preamble. We don't know that there really is information that warrants production under seal, but are willing to stipulate to entry of the protective order to facilitate our receiving discovery, so we are not comfortable stipulating to broad factual representations that may be applicable in other cases.

If we can now finalize this, please let me know so that we can e-file it and make arrangements for production of responsive documents.

Thank you,
April

April Rockstead Barker | Attorney



ATTORNEYS AT LAW

640 W. Moreland Boulevard

Waukesha, WI 53188

☎ P: (262) 827-1700

☎ F: (262) 827-1701

✉ E: abarker@sbe-law.com

Web: www.sbe-law.com

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